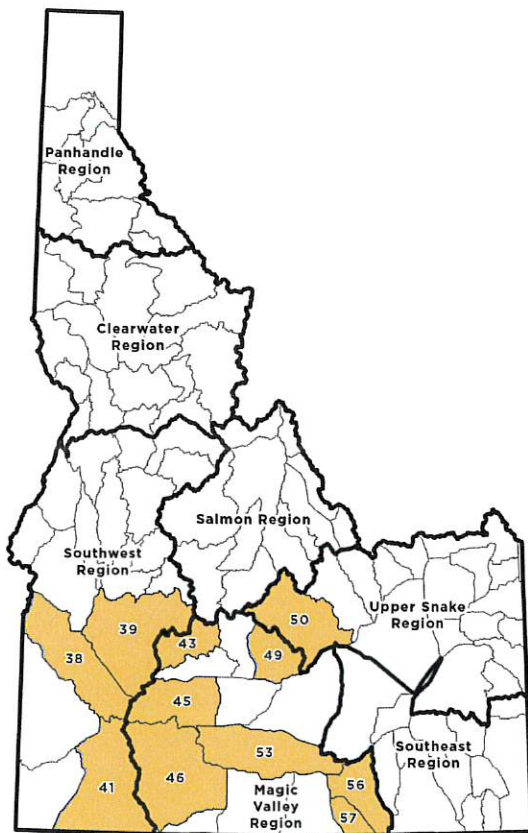
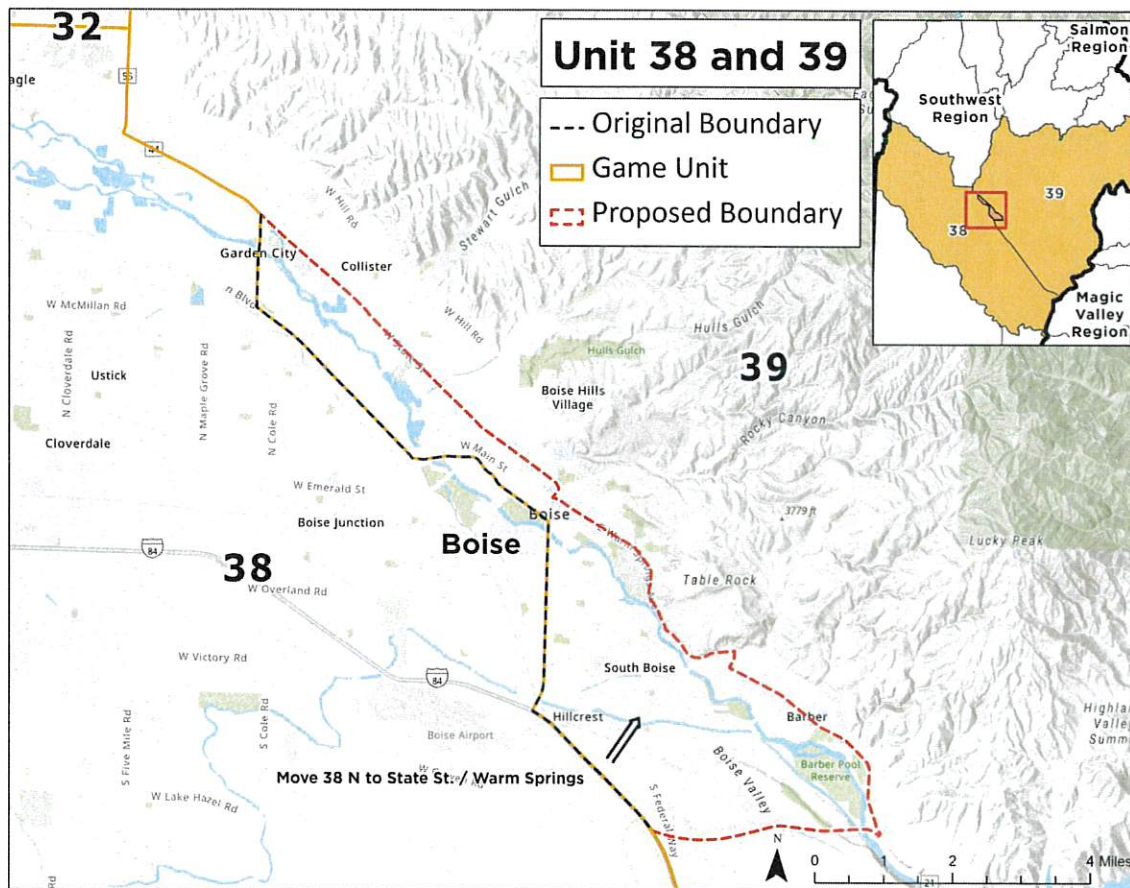


13.01.07 – RULES GOVERNING TAKING OF WILDLIFE



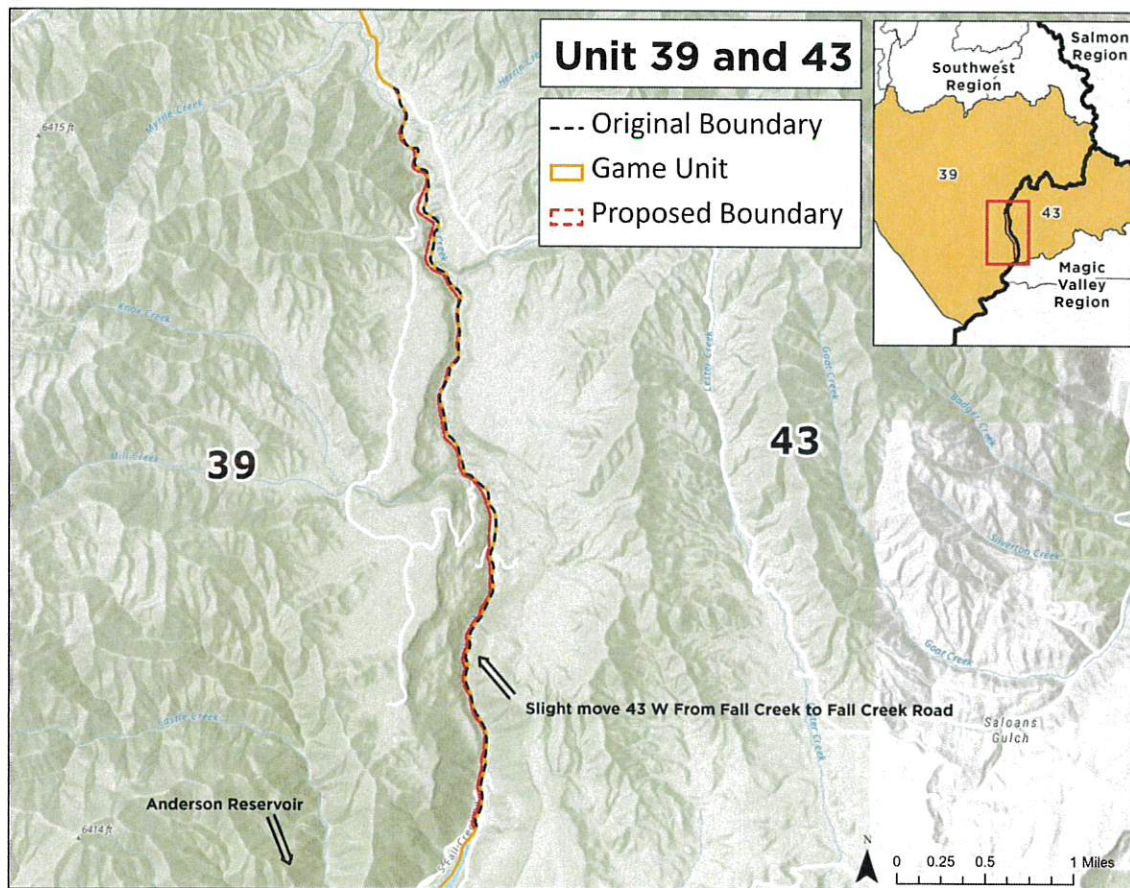
- GMU boundary units were presented to public as part of Zero-Based Rulemaking revisions in March, 2021.
- Public comment (120 comments) reflected 94% supporting changes
- Changes were NOT included in Omnibus as “temporary” because that would have made them effective for 2021 hunting season, and out of alignment with proclamation brochure.



Change: Change the description of “to Boise” to: ...and then east on West State Street, to and then east on East Warm Springs Avenue (by way of Avenue B and E Parkcenter Blvd), to and then south on State Highway 21 to Interstate 84...

Justification:

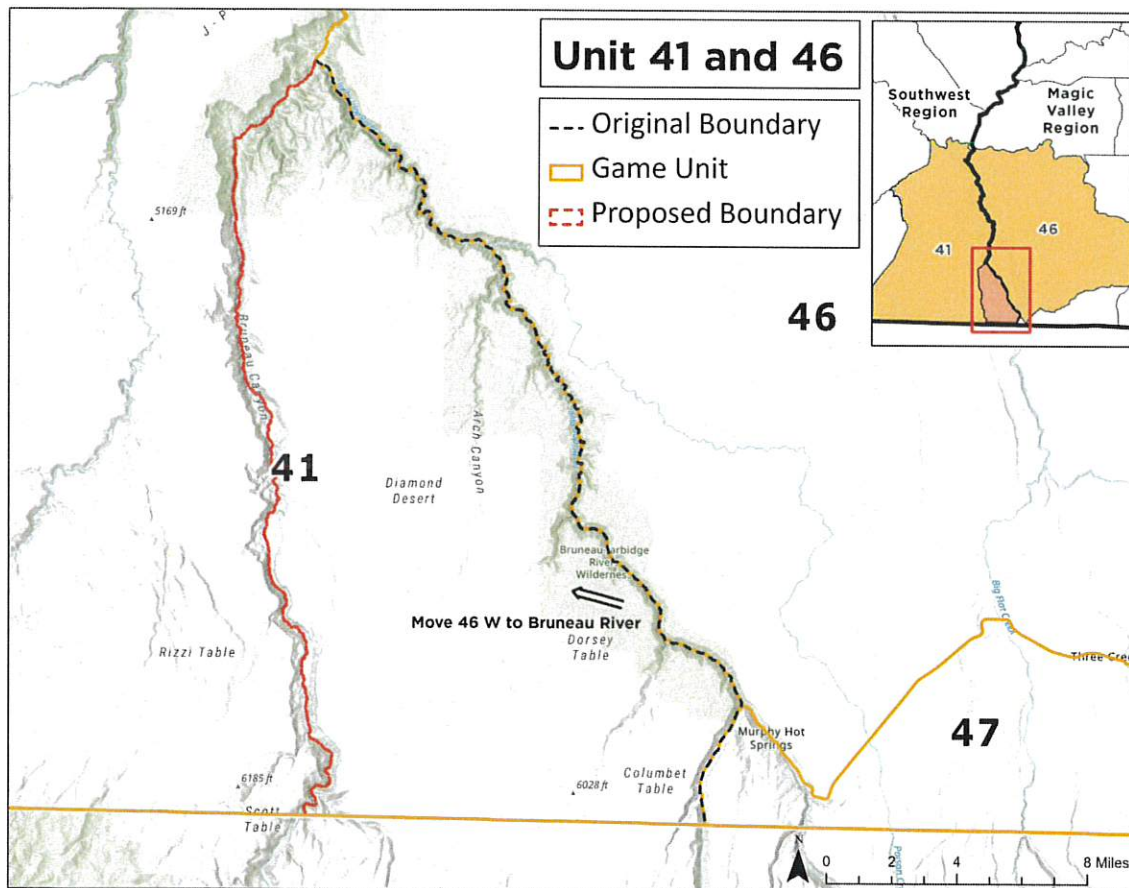
- Shifting GMU 38 north would align that portion of Boise in GMU 39 with the management objectives of GMU 38 while still providing a clean line.
- The current description of “to Boise” leaves open for interpretation how to get to Interstate 84. This alternative would further define the GMU boundary.



Change: Shift a portion of the GMU boundary from Fall Creek to Fall Creek Road and revise boundary description to include current US Forest Service designated route numbers and County road names.

Justification:

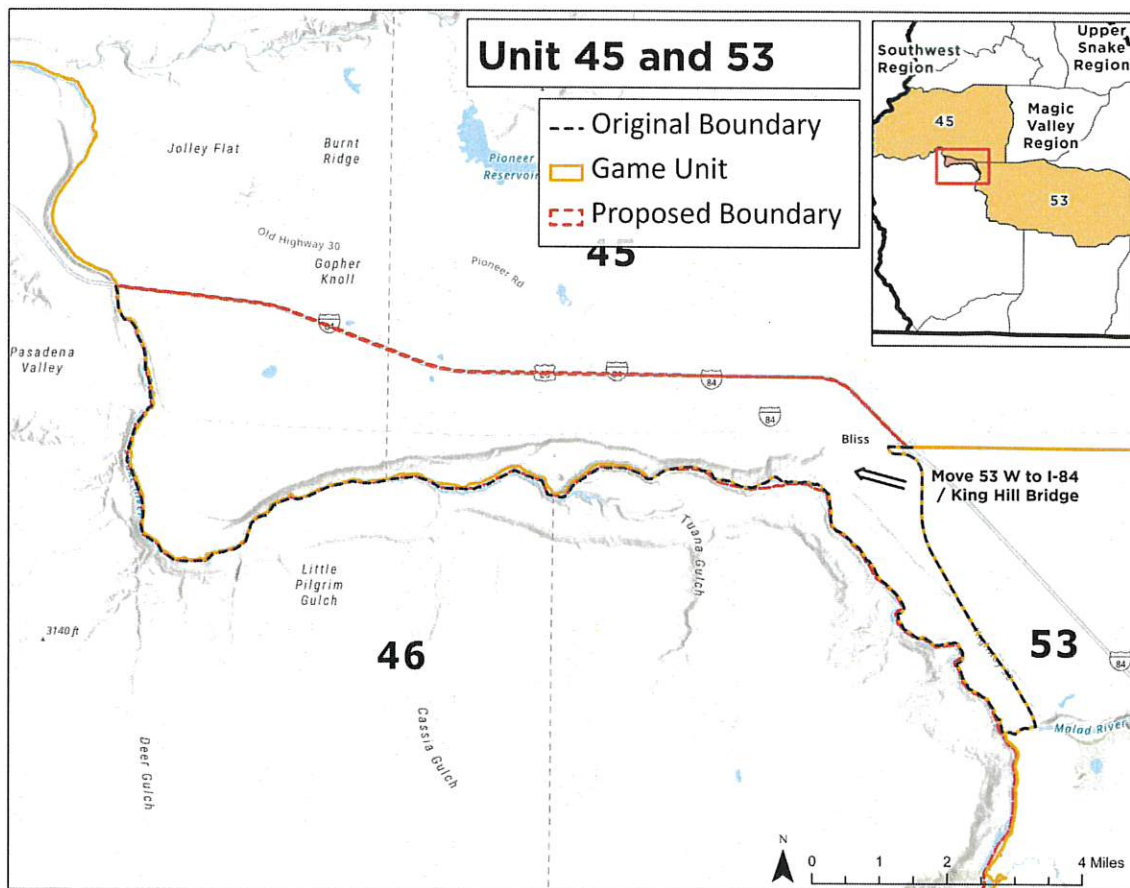
- Revision would more clearly define the unit boundaries for the benefit of hunters and the practicality of enforcement.
- Changes reflect current numbering of US Forest Service designated routes and County road names.



Change: Shifts "Diamond A" portion of GMU 41 (Region 3) to GMU 46 (Region 4)

Justification:

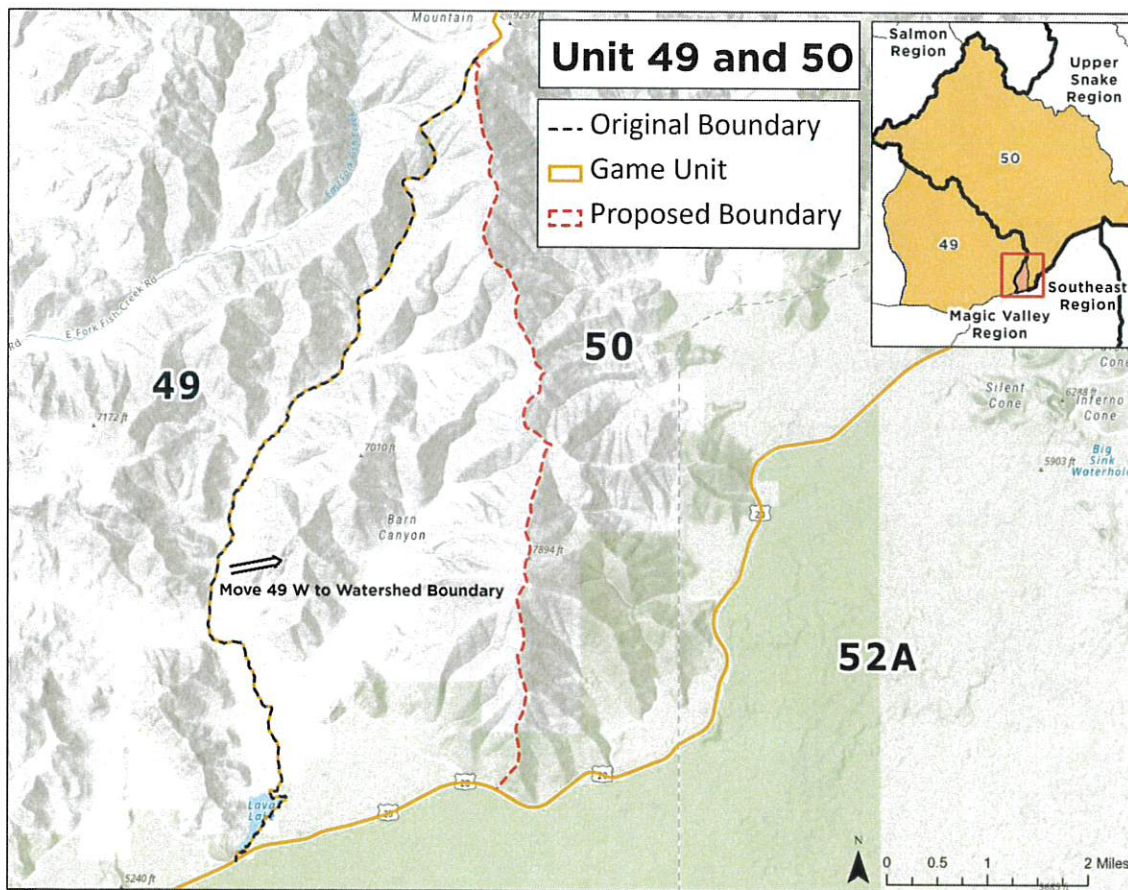
- Access to the Diamond A portion of GMU 41 (between the Bruneau and Jarbidge Rivers) is faster and easier from the Magic Valley Regional Office than from Nampa Regional Office.
- The area is inaccessible from the western side during the winter.
- Because of access, this portion of GMU 41 is already included in several GMU 46 hunts.
- The Magic Valley Region already conducts all wildlife surveys in the Diamond A, including sage-grouse and bighorn sheep.



Change: The proposed wording would shift that portion of GMU 45 between I-84 and Snake River from King Hill to Bliss to GMU 53.

Justification:

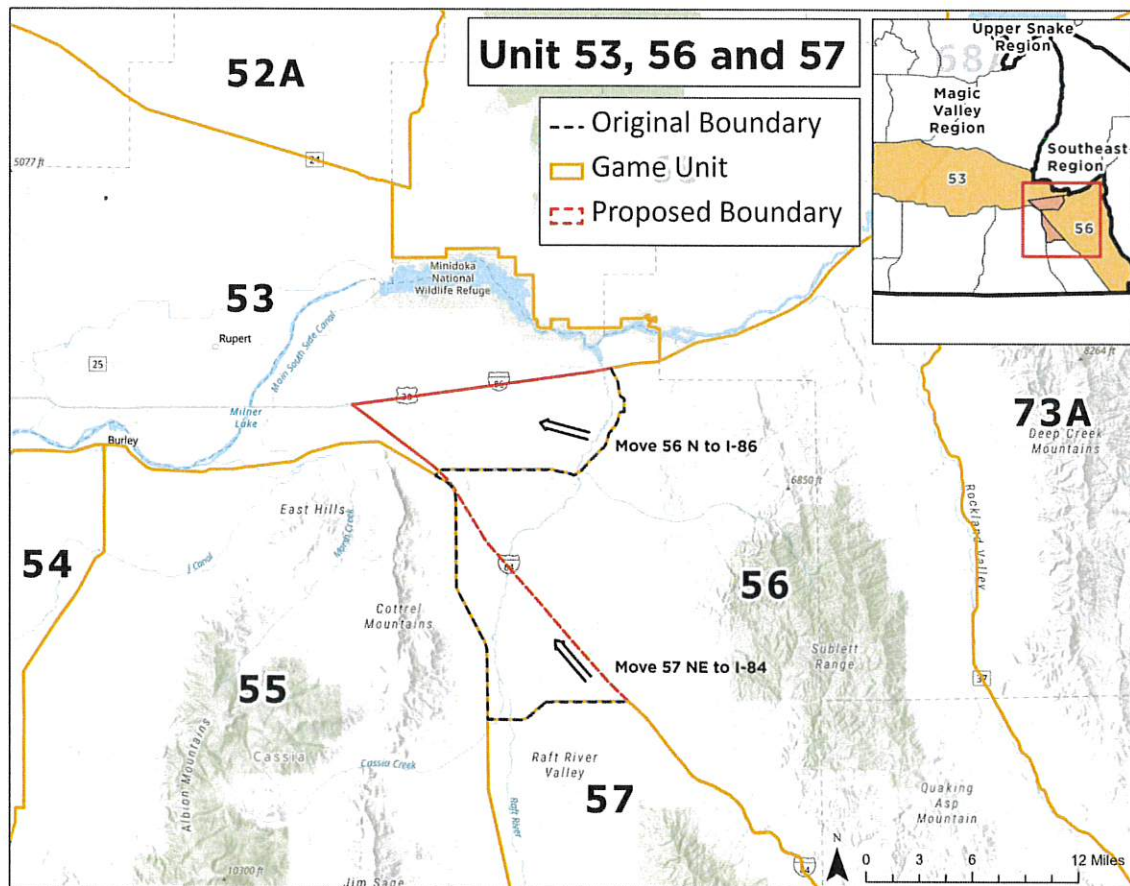
- This portion of the existing boundary is difficult to describe and understand which results in confusion from the hunting public and hunting rules compliance issues, particularly for mule deer.
- Proposed boundary change is much easier to describe and understand because it now follows I-84.



Change: Shifts unit boundary from Copper Creek to the watershed divide between Copper Creek and Cottonwood Creek

Justification:

- Copper Creek has minimal flows and is difficult to determine where the actual drainage is.
- This is the only segment of the boundary that does follow the Little Wood /Big Lost divide.
- Access to this area is much better from the Magic Valley Regional Office than from the Upper Snake.
- The Magic Valley Region already conducts all wildlife surveys and manages all big game depredations and landowner relations in this portion of Unit 50.



Change: Moves portion of GMU 53 south of I-86, east of I-84 and north of the Yale Road to GMU 56 and moves that portion of GMU 56 West of I-84 and northeast of Malta to GMU 57

Justification:

- Existing boundaries are difficult to describe and understand, resulting in recurrent expenditure of staff time to educate the public and enforce rules associated with a small portion of Unit 53, 56, and 57.
- Proposed boundary changes are much easier to describe and understand because they follow I-84 and I-86.

Clarifications (no change to boundary)

- Unit 5: Change reference to “Mashburn” instead of “Washburn”
- Unit 6-7: Provide clarity on how to get from Avery to the Fishhook Cr. Road (reference to “Milwaukee Road and Siberts Old River Road”)
- Units 40, 41, 42: Remove references to Poison Creek and Deep Creek Cliffs Road and add Juniper Mountain Road.
- Units 44-48: Remove unnecessary wording and separate Camp Creek Rd. and Croy Creek Rd. for clarity.
- Units 60-60A: Clears up description of boundary using current road names.

13.01.09 – RULES GOVERNING TAKING OF GAME BIRDS AND UPLAND GAME ANIMALS

300. UPLAND GAME BIRD METHODS OF TAKE

01. Upland Game Birds. No person may take upland game birds:

a. With a trap, snare, net, ~~crossbow~~, or firearm.

i. EXCEPT upland game birds may be taken with a shotgun using shells not exceeding three and one half (3-1/2) inches maximum length, or muzzleloading shotgun; or

ii. EXCEPT, forest grouse only may be taken with a ~~crossbow~~ or firearm.

13.01.04 – RULES GOVERNING LICENSING

304. REASONABLE MODIFICATION PERMIT (WEAPON RESTRICTIONS).

01. Application. ~~The Department will only consider an application for a reasonable modification permits (for medical reasons) to allow use of equipment that is otherwise unauthorized in a special weapon season (archery or muzzleloader only) that will include:~~
- a. ~~Includes a~~ All information requested on a form prescribed by the Department;
 - b. ~~Is signed by~~ The applicant's signature;
 - c. ~~Includes~~ Signed certification from the applicant's physician, physician assistant, optometrist or nurse practitioner stating the criteria limiting the applicant's ability to participate without special accommodation, including checking of the appropriate box for short-term or long-term disability, and for short-term disability, including date when the disability is expected to end;
 - d. ~~Includes a~~ A copy of the license of the physician, physician assistant, optometrist or nurse practitioner, if that person is not licensed to practice in Idaho;

500. NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE.

01. Tags. The following numbers of nonresident general hunt deer tags and nonresident general hunt elk tags will annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter licensed under Chapter 21, Title 36, Idaho Code. For each Hunting Season:

- a. One thousand nine hundred eighty-five (1,985) deer tags (the combined total of regular and White-tailed);
- b. Two thousand ~~eight~~ nine hundred (~~2,800~~ 2,900) elk tags (the combined total of A and B tags for all zones)

13.01.08 – RULES GOVERNING TAKING OF BIG GAME ANIMALS

257. ELIGIBILITY FOR CONTROLLED HUNT APPLICATION.

- 08. Youth Only Hunts. Youth-only controlled hunt application eligibility is limited to persons nine (9) to seventeen (17) years of age, provided they will be ten (10) to seventeen (17) years of age during the hunt for which they apply. A nine (9) year old cannot participate in the hunt until turning age ten (10). A person who turns eighteen (18) years of age during the hunt may continue to participate through the end of the youth-only controlled hunt. A person sixty-five (65) years of age or older, or a person with a ~~senior or disabled combination or hunting~~ license, may apply during a second application period for youth-only controlled hunts or purchase leftover youth only controlled hunt tags on a first come, first served basis.

Suggested Motions

- I move the Commission, subject to Governor's Office approval, adopt a temporary rule adjusting the number of outfitter set-aside elk tags as presented by staff, with an effective date of September 1, 2021. Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to confer a benefit on Idaho citizens.
- I move the Commission adopt proposed fee rules as presented by staff, with authority for the Department to non-substantive edits in the proofreading process that do not alter the sense, meaning or effect of the rules.
- I move the Commission adopt proposed non-fee rules as presented by staff, with authority for the Department to non-substantive edits in the proofreading process that do not alter the sense, meaning or effect of the rules.